



**Date:** February 2, 2015

**To:** Thomas J. Bonfield, City Manager

**Through:** W. Bowman Ferguson, Deputy City Manager

**From:** Joel V. Reitzer, Director of General Services

**Subject:** Architecture Contract with O'Brien/Atkins Associates, P.A. for the Police Headquarters Complex ("Project")

### **Executive Summary**

Since 1991, the Police Department Headquarters has been located at 505 W. Chapel Hill Street. The building was constructed in 1959 as a life insurance building. The facility does not meet the current or future operational needs of the Durham Police Department (DPD) or Durham Emergency Communications Center (Durham 911 Center). In January 2010, Carter Goble Associates, Inc. (Carter Goble) was selected to conduct a Master Facilities Study for the Police Department and an architectural space study for Durham 911 Center. The Master Facilities Study projected the Police Department's growth and service requirements through year 2030 and determined facility needs at five year intervals. The consultant's report also included space needs projections through year 2020 for Durham 911 Center.

City Council received a presentation in December, 2012 regarding the consultant's findings, recommendations, and potential site options. Community meetings were conducted in May, 2013 regarding potential site options and additional meetings were conducted with community stakeholders regarding proposed sites in July through September of 2013. Since that time, City Staff continued to work on site specific cost estimates, schedules and validation of land cost components for sites. Site option updates were presented to City Council during a special City Council meeting in March, 2014. City staff presented a site selection recommendation to City Council at the October 9, 2014 Work Session recommending the Main Street site (property bordered by East Main Street, Elizabeth Street, Ramseur Street, and Hood) and small parcel at 102 Hood Street for the Police Headquarters (HQ) Complex ("Project").

Request for Qualifications for Architect and Construction Manager at Risk (CMAR) was advertised on July 3, 2014; pre-proposal conferences were conducted on July 23, 2014; and written submittals were received on August 5, 2014. Eight submittals were received from Architecture teams and four submittals were received from CMAR teams. Interviews were conducted from September 16- 19, 2014. O'Brien/Atkins Associates, P.A. (OBA) was determined to be the top ranked Architecture firm and Lend Lease (US) Construction Inc. (Lend Lease) was determined to be the top ranked CMAR firm. Contract and fee negotiations have been ongoing with both firms, as well as pre-contract team meetings.

**Recommendation:**

General Services Department recommends that City Council:

1. Authorize the City Manager to negotiate and execute an Architectural services contract with O'Brien/Atkins Associates, P.A. for comprehensive design services for the Police Headquarters Complex project in an amount not to exceed \$4,881,361.00.
2. Authorize a project contract contingency for the Architectural Services contract, in the amount of \$488,136.00 and authorize the City Manager to execute contract amendments to the Architecture contract provided the total contract does not exceed \$5,369,497.00, the amount budgeted for architecture services including the contingency.

**Background:**

Over the past 14 years, City has performed several analyses of the Durham Police Department facility needs. In 2001, the City contracted with the design firms New Synergy and GSA Ltd. to conduct a departmental space needs assessment and plan for its facilities. The 2001 study concluded that there was a significant space shortfall and that facilities were beginning to deteriorate. In 2003, the building inventory conducted by Carter Burgess Architects confirmed the poor condition of the existing Headquarters as a significant issue. In 2006, the Police Department completed an internal facility report and master plan detailing the deficiencies in its facilities program and recommended a long range plan to replace the Headquarters building and leased facilities with new construction. In January 2010, the City conducted a nationwide request for qualifications process and selected Carter Goble to perform the Police Department's Master Facilities Study. Carter Goble are experts in the field of public safety projects. Carter Goble began work on the Study in July, 2010. Carter Goble analyzed City demographics, planning department projections, historical data on police department staffing and activity, conducted a unit-level space survey, conducted interviews with divisional and functional managers, toured and inspected all facilities, hosted public meetings and met with City government leaders and community stakeholders. The consultants also analyzed the police department's operational strategy and using comparative formulas, Carter Goble projected the departmental growth and service through year 2030 to determine facility needs at five year intervals. The consultant's report and recommendations were finalized in March, 2012.

In 2011, Carter Goble also analyzed and prepared an architectural space program for Durham 911 Center, to include space needs projections through year 2020. City Council received a presentation in December, 2012 regarding the consultant's findings, recommendations, and potential site options. Community meetings were conducted in May, 2013 regarding potential site options and additional meetings were conducted with community stakeholders regarding proposed sites in July through September of 2013. Since that time, City Staff continued to work on site specific cost estimates, schedules and validation of land cost components for sites. Site option updates were presented to City Council during a special City Council meeting in March, 2014. City staff presented a site selection recommendation to City Council at the October 9, 2014 Work Session recommending the Main Street site (property bordered by East Main Street, Elizabeth Street, Ramseur Street, and Hood) and small parcel at 102 Hood Street for the new DPD/911 complex facilities. Options to purchase the required property have been executed and due diligence is underway. Geotechnical and site investigations have begun and additional testing is underway. Several test-fits and high level concepts have been prepared as part of

the site analysis. Carter Goble has prepared stacking and blocking diagrams for discussion with Police and Durham 911, as a visual and client communication tool and for use by the Architecture and CMAR team.

The Police Headquarters Complex project will consolidate Police functions that are currently housed in multiple locations and some of which is leased space. The new Police HQ Complex will include all functions currently housed at existing Headquarters, as well as, District 5 functions, Forensics Services Unit, Property and Evidence, Domestic Violence Unit, and Durham 911 functions. In addition there will be a secure parking deck. Upon completion of the Project, leases for Property and Evidence and Domestic Violence Unit will no longer be required, and property at 213 Broadway/Hunt, 516 Rigsbee and 505 W. Chapel Hill Street will be available for sale or repurposing for other City uses.

CIP funding has been appropriated in the amount of \$62,434,057.00, for all project costs, including land acquisition, design, preconstruction, construction, geotechnical and testing, owner's soft costs, furniture, fixtures and equipment and project contingencies. The County will reimburse the City in the amount of 21% of all costs associated with the Durham 911 Center, including appropriate allocation for land acquisition, design and construction.

*Designer request for qualifications:*

On July 3, 2014, request for qualifications for Designers and CMARS was advertised with mandatory pre-proposal conferences being held on July 23, 2014. On August 5, 2014, written submittals were received from Designers as follows:

Design firms:

- O'Brien/Atkins
- Little Diversified Architectural Consultants/HOK
- Clark Nexsen/AECOM
- Perkins Eastman
- ADW Architects
- Perkins + Wills
- DTW Architects & Planners +Wilson Estes Police Architects
- Szostak Design

Written submittals were reviewed by a selection committee comprised of City Staff that included Angela Henderson (EO/EA); Jim Soukup (911); Jesse Burwell, Bill Gascoigne, Deputy Chief Anthony Marsh (Police); Joel Reitzer, Trish Creta, Robyn Heeks, Jina Propst (GSD). The design firms were evaluated based upon quality of the submittal, Project team Composition; Management Team, Project Team and Experience of Key Team Members; Project Approach, Collaboration and Innovation, Experience and Expertise, and Demonstrated ability to design within budget and meet project schedules. Upon conclusion of the review process and scoring **3 Design firms were short listed** for interviews:

- O'Brien/Atkins
- Little Diversified Architectural Consultants/HOK
- Clark Nexsen/AECOM

Interviews for Designers were conducted September 16-19, 2014. The interview panel included: Angela Henderson (EO/EA); Jim Soukup (911); Jesse Burwell, Deputy Chief

Anthony Marsh, and Bill Gascoigne (Police); Joel Reitzer, Trish Creta, Robyn Heeks, Jina Propst (GSD); David Boyd (Finance) and Aaron Baggerly and Rick Macia (CGL-observers only). The design teams were asked to prepare a formal presentation addressing the following items:

- Overview of Team and Roles
- Project-Specific approach and schedule management process
- Discussion of at least one similar project to the Police Headquarters Project
- Discussion of Specialized/unique skill
- What sets your Design team apart.

Following the formal presentation the following interview questions were posed.

1. Tell us how you minimize project coordination errors, how you validate cost estimates and reconcile cost estimates with the CMAR?
2. How involved are you in driving the schedule, and how do you determine how to recover from schedule slippage?
3. Tell us about your experiences working with CMAR. What has been your role in making that project approach a success? What are the pitfalls of CMAR delivery method? Tell us about one experience and your role in the outcome.
4. Please comment on the proximity of your team members and their availability to respond timely to project issues.
5. Describe your experience with life cycle cost analysis and how you would use it and/or other tools to help guide the team with regard to sustainability goals early in the design process.
6. What do you see, preliminarily, as the biggest issue, obstacle, or risk in this project (overall) and for each phase of work? Please discuss how this issue should be addressed.
7. The owner group has started and intends to be actively involved in the stacking and blocking diagram phase of the project. How do you see managing a series of charrettes that foster active participation by owner designees? Explain how you may have conducted this type of interaction in the past.
8. Is there a question that we did not ask you that you expected?

At the conclusion of the interviews and scoring the firms were ranked as follows:

**Ranking for Design Firms:**

1. O'Brien/Atkins
2. Little Diversified/HOK
3. Clark Nexsen/AECOM

While all firms demonstrated the requisite Designer qualifications for the project, OBA's recent success with the Durham County Courthouse project, and managing multiple client stakeholders and experience with similar public safety building types were important factors that were considered. Further, OBA firm structure includes in house design disciplines, such as engineering and landscape architecture, enabling OBA to provide seamless and coordinated design services. OBA is a local design firm rooted in the community and experienced with Durham's design and construction processes. Following the interviews, City Staff notified the firms of the ranking results and that Staff was proceeding with fee negotiations with the top ranked firms. Firms were notified that should negotiations be

unsuccessful, Staff would move to the number 2 ranked firms. Thereafter, Staff received draft fee proposals from Lend Lease and O'Brien/Atkins. Multiple meetings and negotiations regarding fee, scope of services and contract terms has been ongoing since October, as well as other pre- contract meetings and planning.

### Issues/Analysis:

As described above, negotiations with O'Brien/Atkins has resulted in a negotiated fee for full design services in an amount not to exceed \$4,881,361.00. The fee represents 8.8% of the estimated construction budget. The project budget includes a 10% design contingency to address potential additional services that may arise during the course of design and construction such as, owner and user program or scope changes, project site changes, early package requirements, extended construction administration due to construction schedule delays and other potential issues. OBA's services include all phases of design, construction administration and closeout. OBA will develop the project design using building information modeling (BIM), for coordination and use during the design/preconstruction phase and transmission of the model to the City at close-out. The City will then be able to use the model for post completion facility management. The attached architecture contract describes the routine contractual requirements and also includes requirements to design to LEED silver standards, utilization of BIM and community input, visioning sessions and project updates during the design phase and throughout the project lifecycle.

The Police HQ Complex project will require close coordination by and between the Project team, Police and Durham 911 clients, and other City departments, and community stakeholders. The integrated project approach of contracting for concurrent design and CMAR preconstruction services presents an opportunity to develop and deliver a project that achieves the goals of the end users and City-wide community.

### Alternatives

Proceeding with execution of design services contract is recommended as the only viable alternative for consideration.

### Financial Impacts:

<b>Project Funding</b>		
	3501B952-764000-CK002	\$4,891,000
	3501B952-764000-CK002	\$2,000,000
	3501B900-764000-CK002	\$44,205,815
	3501B900-764000-CK003	\$10,887,242
	3501B952-764000-CK003	\$450,000
	<b>TOTAL PROJECT FUNDING</b>	<b>\$62,434,057</b>
<b>Funding Uses Prior and Budgeted</b>		
<i>Land Acquisition:</i>		
Purchase price (GWC)		\$5,490,000
Purchase price (W.T. Wilkerson)		\$200,401

Estimated Closing Costs		\$8,000
Additional Land Costs		\$30,000
<i>Design Phase:</i>		
Environmental/Geotechnical/ Asbestos Services (Terracon - Contract and Amendment 1)		\$82,691
Other Geotechnical Services Budget		\$30,000
Special Inspections/CMT Budget		\$600,000
<i>Construction Phase:</i>		
Contract Compliance Budget ("General Conditions"/Bonds/Insurance)		\$3,087,000
CM Fee (2.5%) Based on Current Construction Budget of \$43,120,000		\$1,078,000
Budget for Construction		\$38,955,000
<i>Owners Other Expenses:</i>		
Soft Costs Owner (Includes FFE and other soft costs)		\$4,364,218
Other Owner Expenses Including Contingency		\$2,924,249
	<b>TOTAL</b>	<b>\$56,849,560</b>
<b>Funding Uses Current</b>		
Architecture Services Contract (O'Brien/Atkins Associates, P.A.)	3501B900-731003-CK002	\$4,881,361
Architecture Services Contract Contingency	3501B900-731900-CK002	\$488,136
	<b>TOTAL</b>	<b>\$5,369,497</b>
CMAR Preconstruction Contract (Lend Lease (US) Construction Inc.)	3501B900-731003-CK002	\$215,000
	<b>TOTAL</b>	<b>\$215,000</b>
	<b>FUNDING USES TOTAL</b>	<b>\$62,434,057</b>

**SDBE Summary/Architect:**

The Equal Opportunity/Equity Assurance Department reviewed the proposal submitted by O'Brien/Atkins Associates, PA of Durham, North Carolina to determine compliance with the Ordinance to Promote Equal Business Opportunities in City Contracting. The goals for this project are MSDBE 4% and WSDBE 5%. It was determined that O'Brien/Atkins Associates, PA is in compliance with the Ordinance to Promote Equal Business Opportunities in City Contracting.

## **SDBE REQUIREMENTS**

O'Brien/Atkins Associates, PA will subcontract to the following certified firms:

<b>Firm</b>	<b>ID</b>	<b>City/State</b>	<b>Amount</b>	<b>% of Contract</b>
J & A Engineering, LLC*	SDBE	Marietta, GA	\$ 124,200.00	3%
The Harris Collaborative, PLLC	MSDBE	Durham, NC	\$ 60,000.00	1%
Davenport	MSDBE	Winston-Salem, NC	\$ 26,800.00	0.55%
Engineered Designs, Inc.	WSDBE	Cary, NC	\$ 129,100.00	3%
CLH Design, PA	WSDBE	Cary, NC	\$ 99,250.00	2%

\*J & A Engineering, LLC a Hispanic American SDBE and was used to fulfill the MSDBE goal requirement for this project in compliance with the Ordinance to Promote Equal Business Opportunities in City Contracting

## **WORKFORCE STATISTICS**

Workforce statistics for Obrien/Atkins Associates, PA are as follows:

Total Workforce	42	
Total Females	10	(24%)
Total Males	32	(76%)
Black Males	2	(5%)
White Males	27	(64%)
Other Males	3	(7%)
Black Females	0	(0%)
White Females	10	(24%)
Other Females	0	(0%)